REMARKS

In the May 1, 2007 Office Action, the Examiner noted that claims 1-6 and 12 were pending in the application; objected to claims 2 and 5 and rejected claims 1-4 and 12 under 35 USC § 102(b) as anticipated by U.S. Published Patent Application No. 2003/0031126 by Mayweather et al. Claims 1-6 and 12 remain in the case. The rejections are traversed below.

Objections to Claims 2 and 5

Claims 2 and 5 have been amended as required. It is submitted that these amendments relate to translation and therefore do not prevent examination of the application under the Patent Prosecution Highway program.

Cited Prior Art

According to paragraph [0011], in Mayweather et al. the "disclosed network includes two rings, ... a first ring transmits data in a "clockwise" direction (or direction 0), and the other ring transmits data in a "counterclockwise" direction ... [and a]dditional rings may also be used." According to paragraph [0013], each "node monitors the status of each link for which it is at the receiving end ... to detect a fault. The detection of such a fault causes a highest-priority link status broadcast message to be sent to all nodes." Receipt of "the link status broadcast message results in reconfiguration of a routing table within each node so as to identify the optimum routing of source traffic to the destination node after the fault." Thus, the only "fault" that is detected in the system disclosed by Mayweather et al. is one that requires rerouting of "traffic" which would presumably be due to complete failure of a link to transmit data.

Rejections under 35 USC § 102(b)

In item 2 on pages 2-3 of the Office Action, claims 1-4 and 12 were rejected under 35 USC § 102(b) as anticipated by Mayweather et al. In rejecting claim 1, it was asserted that paragraph 13, lines 1-3 and interfaces 30 and 32 in Fig. 7 of Mayweather et al. disclosed "a computation device computing an amount of abnormal traffic using a virtual point set in the monitor target equipment as at least one of a start point and an end point" (claim 1, lines 6-7). First, it is noted that only interface 32 can be found in Fig. 7, but both interfaces 30 and 32 appear in Fig. 6 and therefore, it is assumed that the Office Action intended to cite Fig. 6 rather than Fig. 7. Second, it will be assumed that the citation of lines 1-3 of paragraph [0013] in Mayweather et al. was intended to assert that the "node [which] monitors the status of each link for which it is at the receiving end ... to detect a fault" discloses the computation device recited in claim 1.

It is submitted that there is no suggestion in <u>Mayweather et al.</u> that ring interface cards 30 and 32 could represent or function as "virtual point[s] set in the monitor target equipment" for which "an amount of abnormal traffic" is calculated by a node in <u>Mayweather et al.</u> On the contrary, as discussed above, paragraph [0013] of <u>Mayweather et al.</u> describes the node as detecting a "fault" in a "link" and what is detected is the complete lack of traffic, not "abnormal traffic" as recited in claim 1. Nothing has been cited or found in <u>Mayweather et al.</u> suggesting that a fault in a link is detected by "computing" anything or that "a virtual point set" anywhere is used in such computation.

By "computing an amount of abnormal traffic" which is different than detecting failure of a link as disclosed in <u>Mayweather et al.</u>, the present invention is able to handle a much greater variety of failure than <u>Mayweather et al.</u> As described in the Summary of the Invention section of the application, an object of the claimed invention is to detect a problem in a node "in an early stage where its influence is relatively small" (page 3, line 25 to page 4, line 1). As noted in the quotation from claim 1 above and in the second full paragraph on page 4 of the application, this is accomplished by "computing an amount of abnormal traffic using a virtual point set in the monitor target equipment" (claim 1, lines 6-7).

By detecting problems in a network at an early stage, the present invention provides the benefit of addressing potential route failure, such as that caused by a mistake in the routing table setting in a router, before significant routing problems occur. As discussed above, <u>Mayweather et al.</u> only discloses a method for rerouting traffic after a significant problem occurs. Nothing has been cited or found in <u>Mayweather et al.</u> regarding a system that is able to provide any of the benefits of early detection provided by "computing an amount of abnormal traffic using a virtual point set in the monitor target equipment" according to the claimed invention. For the above reasons, it is submitted that claim 1, as well as claims 2-4 and 12 which depend therefrom, patentably distinguish over <u>Mayweather et al.</u>

Summary

It is submitted that <u>Mayweather et al.</u> does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-6 and 12 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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